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Agenda item 10
Technical assistance and capacity-building

Austria,* France, Germany, New Zealand,* Poland,* Slovakia,* South Africa (on behalf of the Group of African States): draft resolution

31/... Technical assistance and capacity-building for Mali in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and other relevant international human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Human Rights Council, both of 18 June 2007,

Recalling further its resolutions 20/17 of 6 July 2012 on the situation of human rights in Mali, 22/18 of 21 March 2013, in which it established a mandate for an independent expert on the situation of human rights in Mali, and 25/36 of 28 March 2014, in which it extended the mandate of the Independent Expert,

Reaffirming that all States have a responsibility to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights, the international covenants on human rights and other relevant international human rights instruments to which they are party,

Reaffirming also its commitment to the sovereignty, independence, unity and territorial integrity of Mali,

Deeply concerned about the establishment of terrorist groups in the Sahel region, about continued armed attacks in the north and about the spread of terrorist and other criminal activities in the central and southern parts of Mali,

* Non-member State of the Human Rights Council.

Deeply concerned also about human rights violations and abuses in Mali, and about the fragile security situation and the difficulties in the redeployment of government services, which continue to hinder humanitarian access in the northern part of the country, the voluntary return of displaced people and the access of the population to basic social services,

Welcoming the signing of the Agreement on Peace and Reconciliation in Mali by all parties on 15 May and 20 June 2015, following an inclusive process led by Algeria and international mediation, and the establishment of a monitoring committee and its branches,

Welcoming also the progress made and actions taken by the Government of Mali on all aspects of the Agreement, including the establishment of a national committee for implementation,

Encouraging the presentation by the Government of Mali of an action plan for the implementation of the Agreement, with a precise timetable,

Welcoming the holding of and the commitments made at the international conference for the economic recovery and development of Mali, held on 22 October 2015 in Paris, which contributed to keeping the international community mobilized for the implementation of the Agreement and the development of the northern regions of Mali,

Noting the commitments made by the Government of Mali during various sessions of the Council to place priority on dialogue and national reconciliation in resolving the crisis,

Noting also the commitments made by the Government of Mali to restore the rule of law and to combat impunity effectively,

Noting further the initiation in January 2013 of an investigation by the Prosecutor of the International Criminal Court into crimes committed on the territory of Mali since January 2012, noting the transfer to the Court on 26 September 2015, in the context of this investigation, of a person suspected of war crimes, and recalling that it is important for all Malian stakeholders to lend the Court their support and cooperation,

Taking note with appreciation of the report of the Independent Expert on the situation of human rights in Mali,[1]

1. *Strongly condemns* the armed attacks and all acts of violence that have been perpetrated in Mali since the beginning of the crisis, particularly in the northern regions of the country, as well as the violations and abuses of human rights and violations of international humanitarian law that have been committed, in particular against women and children, and the recruitment of the latter;

2. *Reiterates* its call for an immediate halt to all such human rights violations and abuses and acts of violence, and for the strict observance of all human rights and fundamental freedoms;

3. *Calls upon* the Government of Mali to continue and to increase its efforts to protect human rights and to promote national reconciliation, in particular by strengthening the judiciary, developing transitional justice mechanisms and effectively redeploying government services throughout the country;

4. *Calls upon* all signatories of the Agreement on Peace and Reconciliation in Mali and national reconciliation to maintain a constructive dialogue and to fully implement all provisions, including those related to disarmament, demobilization and reintegration of

[1] A/HRC/31/76.

former rebel fighters, the redeployment of Malian Armed Forces on the whole territory and decentralization;

5. *Encourages* the efforts of the Government of Mali to bring all perpetrators of human rights violations before impartial and independent courts, and its continued cooperation with the International Criminal Court;

6. *Reiterates* its call for an increase in the participation of women in the national reconciliation process, in conformity with the relevant Security Council resolutions;

7. *Welcomes* the operationalization of the Commission for Truth, Justice and Reconciliation, and encourages the Government of Mali to ensure its full independence;

8. *Encourages* the Malian authorities and all regional and international actors to continue their efforts to consolidate the progress made in the peace and security situation in Mali;

9. *Commends* in this context the United Nations Multidimensional Integrated Stabilization Mission in Mali on its work, calls for its greater involvement in the coordination operational mechanism and the cantonment process, and calls upon all parties to continue to fully coordinate their actions with the Mission, in particular for the implementation of the peace agreement;

10. *Requests* all parties to ensure their strict observance of international human rights law and international humanitarian law;

11. *Reiterates its appreciation* for the humanitarian assistance already provided to members of the population affected by the crisis, and urges the international community to continue to deliver, in consultation with the Government of Mali and the neighbouring countries concerned, appropriate and secure humanitarian assistance to refugees and displaced persons, particularly in the north of Mali, with a view to facilitating access by the population to basic social services and to establishing the conditions for the gradual recovery of the country;

12. *Notes with satisfaction* the close cooperation of the Government of Mali with the Independent Expert in the fulfilment of the mandate entrusted to him;

13. *Welcomes* the organization of free and democratic presidential and legislative elections in Mali and the full restoration of constitutional order in the country;

14. *Acknowledges* the commitments made by the Government of Mali to act upon the recommendations made by the Independent Expert following his visits to the country;

15. *Decides* to extend the mandate of the Independent Expert on the situation of human rights in Mali for a period of one year, from the thirty-first to the thirty-fourth session, to permit the evaluation of the human rights situation in Mali and to assist the Government of Mali in its efforts to promote and protect human rights and to strengthen the rule of law;

16. *Calls upon* all parties in Mali to cooperate fully with the Independent Expert and to assist him in carrying out his mandate;

17. *Requests* the Independent Expert, within the framework of his mandate, to work closely with all entities of the United Nations, the African Union, the Economic Community of West African States, neighbouring States and all other international organizations concerned, and with Malian civil society;

18. *Also requests* the Independent Expert to submit a report to the Human Rights Council at its thirty-fourth session;

19. *Decides* to hold an interactive dialogue at its thirty-fourth session in the presence of the Independent Expert and representatives of the Government of Mali, in order to assess the evolution of the situation of human rights in the country, with a particular focus on justice and reconciliation;

20. *Invites* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide the Independent Expert with all the assistance he needs in order to discharge his mandate fully;

21. *Requests* the High Commissioner to provide technical assistance to the Government of Mali, in particular to the Commission for Truth, Justice and Reconciliation, and to work with the Government to identify other areas of assistance, with a view to supporting Mali in its efforts to promote and protect human rights and to strengthening its institutional capacity;

22. *Urges* the international community to continue to provide assistance to Mali to ensure its stability with a view to promoting respect for all human rights and the determined struggle against impunity, which paves the way for national reconciliation, peace and social cohesion;

23. *Decides* to remain seized of this matter.